

11/600
JCG921 U.S. PTO

11-13-00

Attorney Docket No. TRNSV-013BC

11/09/00
JCG921 U.S. PTO
09/710332

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Makower, et al.) Art Unit: 3736
Application No.: To Be Determined) Examiner: Isabella, D.
Filed: Herewith)
For: Methods and Apparatus for)
Transmyocardial Direct Coronary)
Revascularization)

Transmittal of a Continuation Utility Patent Application

TCY

Express Mail mailing label no. EL636155782US

Rey Ainsworth

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for "Methods and Apparatus for Transmyocardial Direct Coronary Revascularization."

- The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) corresponding to application Serial No. 09/059,531 which was a continuation-in-part of application Serial No. 08/730,327, filed October 11, 1996, 08/730,496, filed October 11, 1996 and 08/837,295, filed April 11, 1997. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- In accordance with Rule 136, the Commissioner is hereby petitioned for a **3** month extension of time, extending to **November 9, 2000** the period for response to the Office action dated **May 9, 2000**. Check No. 2032 for **\$ 445.00** is enclosed.
- A true copy of the following are enclosed:
 - the prior application as filed, including all 76 pages of specifications (including 57 pages of written description; 17 pages of claims (Claims 1-83) and all 15 sheets of informal drawings; and

- the declaration of inventorship showing the signatures or an indication it was signed.
- Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- Please amend the specification after the granting of a filing date herein by deleting the paragraph after the heading "Related Applications" and inserting the sentence: ~~This is a continuation of application Serial No. 89/059,531 which was a continuation-in-part of application Serial No. 08/730,327, filed October 11, 1996, 08/730,496, filed October 11, 1996 and 08/837,295, filed April 11, 1997.~~
- Kindly enter in this continuation application the following preliminary amendment, prior to calculation of the required filing fee:

IN THE CLAIMS:

Please cancel claims 29-83, without prejudice.

- Check No. 2033 covering the filing fee in the amount of \$472.00 accompanies this application, calculated as follows:

For	(Col. 1) No. Filed	(Col. 2) No. extra	Small entity			Other than a Small entity		
			Rate	Fee	Or	Rate	Fee	
Basic fee				\$ 355	Or		\$ 710	
Total claims	28	- 20 =	8	x 9	\$ 72	Or	x 18	\$
Indep claims	1	- 3 =	0	x 40	\$	Or	x 80	\$
Multiple dependent claims presented			+ 135	\$	Or	+ 270	\$	
				Total	\$ 472	Or	Total	\$

- An Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40 are enclosed.
- A Statement of Ownership and Power of Attorney.
- The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- Formal drawings are enclosed.

- The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown herebelow.
- The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- An information disclosure statement is enclosed and PTO form 1449.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: November 9, 2000



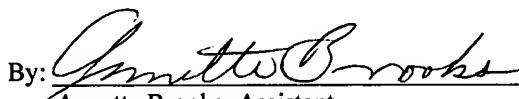
Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite #300
Irvine, CA 92618
Telephone: (949) 450-1750
Facsimile: (949) 450-1764

CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on November 9, 2000 and is addressed to Box PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231.

Dated: November 9, 2000

By: 
Annette Brooks, Assistant

Express Mail mailing label no. EL636155782US